

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 28.02.2019

CORAM

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN**W.P(MD)No.4061 of 2015**
and M.P(MD)No.1 of 2015

A.N.Anbu Gowthaman

... Petitioner

Vs.

1.The Secretary to Government,
Agriculture Department,
Fort St. George, Chennai - 9.

2.The Director,
Agricultural Marketing and Agri Business,
Shipcott Road, Guindy,
Chennai - 600 032.

3.The Commissioner,
O/o.Commissioner of the Agricultural,
Marketing and Agri Business,
Chennai - 32.

4.The Secretary,
Trichy Marketing Committee,
Trichy.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the respondents to disburse the revised pay scale and accord with all benefits, allowances of the petitioner from the date of fixation of seniority in the cadre of the Junior Assistant with effect from 14.08.1987 in the light of the order in W.P.No.32185 of 2005, dated 11.12.2007 on the file of this Court with 12% interest within the stipulated time fixed by this Court.

For Petitioner : Mr.A.Ajmal Khan

For RR 1 to 3 : Mrs.J.Padmavathy Devi,
Special Government Pleader.

For R - 4 : Mr.R.Velmurugan

ORDER

<https://hcservices.ecourts.gov.in/hcservices/>
This writ petition has been filed seeking issuance of a writ of Mandamus, to direct the respondents to disburse the revised pay scale and accord with all benefits and allowances of the petitioner



from the date of fixation of seniority in the cadre of the Junior Assistant with effect from 14.08.1987 in the light of the order of this Court in W.P.No.32185 of 2005, dated 11.12.2007 within the stipulated time fixed by this Court.

2. Heard the learned counsel appearing for the petitioner, the learned Special Government Pleader appearing for the respondents 1 to 3 and the learned counsel appearing for the fourth respondent.

3. The learned counsel appearing for the petitioner submitted that though this Court by order, dated 11.12.2007 in W.P.No.32185 of 2005, directed the respondents to fix the seniority of the petitioner in the cadre of the Junior Assistant with effect from 14.08.1987, the same has not been considered so far. Hence, the petitioner sent a legal notice to the respondents, dated 08.10.2014 and since the same was also not considered, the petitioner has filed the present Writ Petition.

4. The practice adopted by the respondents cannot be countenanced. Despite the order of this Court, no proceeding has been taken so far. In such view of the matter, the respondents are directed to consider the claim of the petitioner in the light of the order, dated 11.12.2007, made in W.P.No.32185 of 2005 and pass appropriate orders on merits and in accordance with law, after affording due opportunity of hearing to the petitioner. Such an exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Secretary to Government,
Agriculture Department,
Fort St. George, Chennai - 9.

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Agricultural Marketing and Agri Business,
Shipcott Road, Guindy,
Chennai - 600 032.



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4.The Secretary,
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Trichy.

W.P (MD) No.4061 of 2015
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PS

KK/SAR/05.04.2019/ 3P- 5C